

REMARKS

Claims 1-5, 7, 10 and 12-24 are pending. Claims 6, 8, 9, 11, 25 and 26 have been canceled, without prejudice. An RCE application has been filed concurrently with this Preliminary Amendment.

Applicant appreciates the Examiner's courtesy during the June 25, 2008 Interview, in which the Examiner agreed that the recitation of additional structural features for the engagement mechanism and the removable pivot means may help define over the applied prior art. Applicant has revised the claims to add such additional structural features, and requests an allowance of these claims for the following reasons.

Independent Claims 1 and 19 have been revised to include the following language, as indicated (reference numerals added in brackets for the Examiner's convenience; precise Claim 1 language is shown here, but Claim 19 language is similar):

° two slidable receivers each removably connected to the opposing end portions of the cross bar, each receiver having an engagement mechanism comprising a handle with a spring-loaded plunger pin mounted on the receiver and facilitating connection and decoupling of the receivers from the cross bar...

° wherein the one or more hydraulic cylinders communicate with cylinder rods that are removably attached to the receivers using removable pivot means which pass through movable plates connecting the cylinder rods to the elongated arms;

° whereby the wheel lift apparatus may be directly removed from the cross bar and from the hydraulic cylinders in the field, including by sliding the receivers over the crossbar and thereby removing them from the crossbar, using the removable pivot means and the engagement engaging mechanism to permit in-the-field conversion from the wheel lift apparatus to an alternate towing apparatus ...

Nolasco fails to disclose or suggest any of these new claim limitations. For example, with Nolasco, even assuming that “receivers” 16, 17 could somehow be removed from cross bar 12d (by somehow removing end plates 35, 36 said by Nolasco to be welded to arms 16, 17 (col. 6:7-8), and removing spring 31), due to the presence of flared plates 12a, 12b, an alternate towing mechanism such as a frame fork could not be slid over the ends of bar 12d (see FIGURE 3 of Nolasco).

The previous arguments and inventor declaration statements are incorporated herein by reference. In short, Nolasco says nothing about in-field disassembly of the wheel lift and conversion to an alternate towing apparatus, and its apparatus is not amenable to this.

If the pending claims are not immediately viewed as allowable, the Examiner is requested to contact the undersigned to arrange a phone interview with the inventor to discuss this application further.

Respectfully submitted,

s/Michael P. Mazza/
Michael P. Mazza

**ATTORNEY DOCKET
NO. 10022RCE3**

Registration No. 34,092
Michael P. Mazza, LLC
686 Crescent Blvd.
Glen Ellyn, IL 60137-4281
P: 630-858-5071
F: 630-282-7123
Email: mazza@mazzallc.com

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Attorney for Applicant